

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**VICTIM RIGHTS LAW CENTER** *et al.*,

Plaintiffs,

v.

**ELISABETH D. DEVOS**, in her official  
capacity as Secretary of Education *et al.*,

Defendants.

Case Number: 1:20-cv-11104

**JOINT MOTION FOR ORDER  
GOVERNING PROCEEDINGS**

The parties hereby submit this proposed Joint Motion for Order Governing Proceedings in this case. The Court has scheduled a trial for October 14, 2020. However, at Plaintiffs' request, Defendants have agreed to supplement the administrative record. The supplemental production is currently expected to be complete on or before October 23, 2020. Accordingly, in order to permit the parties and Court the benefit of the supplemented administrative record, the parties respectfully request that the trial be re-set for a day in the week of November 9, 2020 at the Court's convenience.

In order to increase efficiency and reduce the burden on the Court, the parties have agreed upon the following in anticipation of trial:

- Parties will each file pre-trial briefs of fifteen pages or less on or before 6 PM on the day seven days before trial. In these briefs, the parties intend to address the questions raised by the Court during the September 2, 2020 preliminary injunction hearing, to address the proposed second amended complaint, and to brief issues not raised at the preliminary

injunction stage. The parties also expressly agree to incorporate by reference the preliminary injunction briefs and exhibits.

- Neither party will call any witnesses at trial. Defendants waive their right to cross-examine Plaintiffs' declarants.
- The parties do not anticipate a need for post-trial briefs; however, Plaintiffs reserve the right to request post-trial briefs. Defendants reserve the right to request a post-trial brief if Plaintiffs request a post-trial brief.
- The parties request to appear remotely at the trial.

Based on the foregoing, the parties respectfully request that the Court grant this Joint Motion for Order Governing Proceedings.

Dated: October 8, 2020

Respectfully submitted,

By: /s/ David Newman

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this **JOINT MOTION FOR ORDER GOVERNING PROCEEDINGS**, was served this day on all parties via the Court's electronic case filing system.

Date: October 8, 2020

/s/ David Newman